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Attorney for Defendant

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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**C&C ARC STONE REALTY LLC,**

Plaintiff, Docket No.

- against -

**NOTICE OF REMOVAL**

**NAYA STONE LLC,**

Defendant.

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Defendants, Naya Stone, LLC (“Defendant”), residents of New Jersey, by and through its attorneys, The Law Office of Avram E. Frisch LLC says:

1. Plaintiff, C&C Arc Stone LLC (“Plaintiff”) commenced this action on June 5, 2024, by filing a complaint, entitled C&C Arc Stone LLC v. Naya Stone, LLC in the Superior Court of New Jersey, Law Division, Special Civil Part, Landlord Tenant Division, Bergen County, Docket No. BER-LT-3177-24.
2. The Summons and Complaint were served by posting at the Property by a Special Civil Part Officer on June 10, 2024.
3. Copies of the Summons and Complaint, which constitute all of the processes and pleadings to date, are annexed hereto as **Exhibit A**.

4. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332(a), and this action may be removed by Naya Stone LLC pursuant to the provisions of 28 U.S.C. § 1441(a) because it is a civil action wherein: (1) complete diversity of citizenship exists among the parties; and (2) the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.
5. There is complete diversity of citizenship between Defendant and Plaintiff in this matter as follows:
  - a. Plaintiff is a New Jersey limited liability company with upon information and belief, one member: Michael Coiro, and who is upon information and belief a domiciliary of the State of Florida.
  - b. NAYA STONE LLC, is a New Jersey limited liability company whose members are AMI DABAH, a resident of Brooklyn, New York; World International Stone, Inc. a New York corporation with its principal place of business at 27/13 MITZPE ST, SHOHAM, Israel and AVRDC Corp., a New York corporation with its principal place of business at 16419 32ND AVE., FLUSHING, NY.
6. The amount in controversy of Plaintiff's claim, as specified in Plaintiff's complaint is several million dollars, as the Plaintiff is seeking to terminate Defendant's lease and a disputed purchase option that is worth several million dollars and as such the jurisdictional minimum of \$75,000 is satisfied.
7. Therefore, this Court has diversity jurisdiction over the above-captioned action pursuant to 28 U.S.C. § 1332, which may properly be removed to the Court pursuant to 28 U.S.C. § 1441 et seq.

8. This notice of removal is filed within the time provided by 28 U.S.C. § 1446(b).
9. Upon filing of this Notice of Removal, Defendant shall give written notice thereof to Wendy M. Crowther, Esq. 98 First Avenue Atlantic Highlands, NJ 07716, counsel for Plaintiff and to The Superior Court of New Jersey, Law Division, Special Civil Part, Bergen County.
10. By filing this notice, Defendant does not waive any defenses or claims which may be available to it.

THE LAW OFFICE OF AVRAM E. FRISCH LLC  
*Attorney for plaintiff*

Dated: July 1, 2024

By: s/ Avram E. Frisch  
Avram E. Frisch, Esq.  
1 University Plaza, Suite 119  
Hackensack, NJ 07601  
201-289-5352

**CERTIFICATION PURSUANT TO LOCAL CIVIL RULE 11.2**

The undersigned hereby certifies, pursuant to Local Civil Rule 11.2, that with respect to the matter in controversy herein, neither Plaintiff nor Plaintiff's attorney is aware of any other action pending in any court, or any pending arbitration or administrative proceeding, to which this matter is subject, except for the following actions:

BER-C-238-24 between the parties to this action.

Dabah, et al. v Dahan, et al. under Docket Number BER-C-60-22 between members of the Defendant.

Dahan et al. v Dabah, et al. Index Number 509410/2021, New York Supreme Court, Kings County between members of the Defendant and related parties.

Respectfully submitted,

THE LAW OFFICE OF AVRAM E. FRISCH LLC  
*Attorney for plaintiff*

By: s/ Avram E. Frisch  
Avram E. Frisch, Esq.  
1 University Plaza, Suite 119  
Hackensack, NJ 07601  
201-289-5352

Dated: July 1, 2024

**CERTIFICATE OF FILING AND SERVICE**

I hereby certify that on this date I caused a copy of the foregoing Notice of Removal Certification Pursuant to Local Civil Rule 11.2, and Civil Cover Sheet to be served upon counsel for Plaintiff via FedEx Overnight Delivery to Wendy M. Crowther, Esq. 98 First Avenue Atlantic Highlands, NJ 07716 and to The Superior Court of New Jersey, Law Division, Middlesex County via electronic filing on the NJ Ecourts system.

THE LAW OFFICE OF AVRAM E. FRISCH LLC  
*Attorney for plaintiff*

Dated: July 1, 2024

By: s/ Avram E. Frisch  
Avram E. Frisch, Esq.  
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**EXHIBIT A**

**Summons and Complaint**